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20 Attorneys for Defendants
21 ALLIED INTERSTATE LLC, SLM EDUCATION CREDIT
22 FINANCE CORPORATION (erroneously sued as SLM
23 EDUCATION FINANCE CORPORATION), SLM FINANCIAL
24 CORPORATION and SALLIE MAE, INC.

25 **UNITED STATES DISTRICT COURT**
26 **NORTHERN DISTRICT OF CALIFORNIA**

27 DAVID R. PEREZ,
28 Plaintiff,
v.

ALLIED INTERSTATE, LLC, SLM
EDUCATION FINANCE CORPORATION,
SLM FINANCIAL CORPORATION;
SALLIE MAE, INC. AND DOES 1-10,
INCLUSIVE,
Defendants.

Case No. CV 12-03763 HRL

**JOINT MOTION AND STIPULATION FOR
RELIEF FROM CASE MANAGEMENT
SCHEDULE AND ~~PROPOSED~~ ORDER**

Complaint Filed: May 9, 2012
Trial Date: February 24, 2013

STIPULATION

Plaintiff David R. Perez (“Plaintiff”) and his attorneys of record, The Katharine & George Alexander Community Law Center, by Scott Maurer, attorney at law and Defendants Allied Interstate LLC, SLM Education Credit Finance Corporation (erroneously sued as SLM Education Finance Corporation), SLM Financial Corporation, and Sallie Mae, Inc. (collectively “Defendants”), by their attorneys of record, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., by Jill V. Cartwright, attorney at law, hereby stipulate to the following and respectfully move the Court for an order changing the initial case management conference and ADR deadlines as follows:

1. **WHEREAS**, Plaintiff filed his Complaint on May 9, 2012 in the Santa Clara Superior Court; and

2. **WHEREAS**, on July 18, 2012, Defendant Allied Interstate LLC removed the action to the Northern District of California, San Jose Division, with all Defendants consenting to the removal; and

3. **WHEREAS**, on January 2, 2013, the parties appeared before the Court at the initial Case Management Conference (CMC). During the CMC, the Court assigned the case to Magistrate Judge Howard R. Lloyd for a settlement conference. The Court also scheduled a further CMC for April 2, 2013.

4. **WHEREAS**, the parties have been attempting to settle the case through negotiations but have been unable to do so. The parties believe a settlement conference will be valuable and help the parties reach settlement.

5. **WHEREAS**, the Court’s January 2, 2013 Minute Order and Case Management Order mandates April 2, 2013 as the last day for ADR.

6. **WHEREAS**, whereas, to date, no settlement conference has been scheduled by the Court or Magistrate Judge Lloyd. On or about March 14, 2013, Ms. Cartwright telephoned the Court’s ADR Unit to inquire why no settlement conference had been scheduled. The ADR Unit informed Ms. Cartwright that the case had been coded incorrectly and that they would fix this issue. To date, the parties have not received any dates for a settlement conference.

7. **WHEREAS**, given the upcoming deadline to conduct the settlement conference—

without any settlement conferences dates yet provided—and the parties’ desire to attend a settlement conference, the parties request relief from the current January 2, 2013 Minute Order and Case Management Order by extending the deadlines in the Order for scheduling a settlement conference.

8. **WHEREAS**, the parties met and conferred regarding the proposed continuance of the further case management conference and deadlines within the January 2, 2013 Minute Order and Case Management Order; and

9. **WHEREAS**, pursuant to Local Rule 16-2(d)-(e) and Local Rule 7, the parties herby submit this stipulation for relief from the case management schedule.

NOW, THEREFORE, the Parties, through their respective counsel of record **AGREE AND HEREBY STIPULATE** to the following changes in the initial case management deadlines:

Deadline	Original Date	New Date
Last day to: Complete ADR (Settlement Conference)	April 2, 2013	April 26, 2013
Further CMC	April 10, 2013	May 1, 2013
Fact Discovery Cutoff	June 28, 2013	July 15, 2013

DATED: March 22, 2013

KATHARINE & GEORGE ALEXANDER
COMMUNITY LAW CENTER

By: /s/ Scott Maurer
Scott Maurer

Attorney for Plaintiff
DAVID R. PEREZ

1 DATED: March 22, 2013

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

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5 By: /s/ Jill V. Cartwright

Erica K. Rocush
Jill V. Cartwright

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SLM FINANCIAL CORPORATION and
SALLIE MAE, INC.

11 **ATTESTATION PER GENERAL ORDER NO. 45 SECTION X.B.**

12 I hereby attest that I have obtained concurrence in the filing of this document from each of
13 the signatories listed above.

14 DATED: March 22, 2013

OGLETREE, DEAKINS, NASH, SMOAK &
STEWART, P.C.

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16
17 By: /s/ Jill V. Cartwright

Erica K. Rocush
Jill V. Cartwright

18 Attorneys for Defendants

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[PROPOSED] ORDER

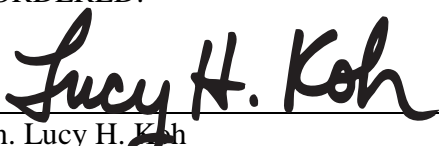
Pursuant to the Joint Stipulation for Relief from Case Management Schedule it is hereby ordered that the Case Management deadlines are modified as follows:

Deadline	Original Date	New Date
Last day to: Complete ADR (Settlement Conference)	April 2, 2013	April 26, 2013
Further CMC	April 10, 2013	May 1, 2013
Fact Discovery Cutoff	June 28, 2013	July 15, 2013

The parties shall contact Magistrate Judge Lloyd's Courtroom Deputy to schedule a settlement conference.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 1, 2013


 Hon. Lucy H. Koh
 Judge of the United States District Court

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